

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 960613-0

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 TO REZONE APPROXIMATELY 333.14 ACRES OF LAND GENERALLY KNOWN AS FOUR POINTS CENTRE PLANNED UNIT DEVELOPMENT AND LOCALLY KNOWN AS 7200 TO 7500 NORTH F.M. 620 ROAD IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "PUD" PLANNED UNIT DEVELOPMENT TO "PUD" PLANNED UNIT DEVELOPMENT, SUBJECT TO CERTAIN CONDITIONS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5 AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "PUD" Planned Unit Development to "PUD" Planned Unit Development with conditions on the property described in City of Austin Department of Review and Inspection File No. C814-95-0002 to wit:

All that certain tract or parcel of land out of and part of the A.E. Patton Survey No. 539, the John E. Linn Survey No. 804, the Alex Dunlap Survey No. 805, and the William Bell Survey No. 802, situated in Travis County, Texas, more particularly described as being a portion of those two parcels of land conveyed to P-WB Joint Venture by instruments recorded in Volume 8694, Page 676 and in Volume 8694, Page 695 of the Real Property Records of Travis County, Texas, said tract containing 333.14 acres of land, more or less, and more fully described by metes and bounds in the Four Points Centre Planned Unit Development Land Use Plan, attached to this ordinance as Exhibit "A" and made a part of this ordinance for all purposes,

said tract of land being locally known as 7200 to 7500 North F.M. 620 Road in the City of Austin, Travis County, Texas (hereinafter referred to as the "Property").

PART 2. That the use and development of the planned unit development district created by this ordinance shall conform to the limitations and conditions set forth herein and in the attached Four Points Centre Planned Unit Development Land Use Plan ("Land Use Plan") on record at the Department of Review and Inspection in File No. C814-95-0002. If the text of this ordinance and the exhibits attached hereto conflict, the more restrictive provision shall control. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City of Austin in effect on the effective date of this ordinance shall apply to the Four Points Centre Planned Unit Development.

PART 3. That development on the Property shall comply with the site development standards set forth in this ordinance and in the Land Use Plan attached as Exhibit "A". Site development standards as set forth in Chapter 13 of the Austin City Code on December 12, 1995, for the MF-2, GO, and GR zoning districts shall apply to the Multi-family, Office, and Retail/Hotel lots, respectively, in those instances where site development standards are not specifically established in the Land Use Plan.

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PART 4. That development of the multi-family lots or any development adjacent to single family uses will comply with the compatibility standards set forth in Sections 13-2-730 through 13-2-739 of the Austin City Code on the effective date of this ordinance, except for those site development standards specifically established by the Land Use Plan.

PART 5. That development on the Property will comply with the floor to area ratio requirements established for the Hill Country Roadway Corridor and that said compliance will be based on the ratio for the entire Property and not on the ratios for each individual lot.

PART 6. That the certain "Restrictive Covenant, Development and Roadway Construction Agreement" (commonly referred to as the Traffic Phasing Agreement), dated June 1, 1989, entered into by and between P-WB Joint Venture and the City of Austin, shall be terminated.

PART 7. That the land uses, development intensities, and planned improvements and phases of development of this "PUD" Planned Unit Development shall, to the extent permitted by market conditions, conform generally to the development scenario outlined in the Traffic Impact Analysis prepared by Carter & Burgess, Inc. dated October 16, 1995, as revised June 10, 1996 ("TIA"), submitted in support of the Four Points Centre Planned Unit Development zoning request, and on file in the City of Austin Department of Review and Inspection. At the time an application for approval of a site plan or building permit is submitted, the total number of a.m. and p.m. peak-hour trips for each phase of development shall not generate traffic levels exceeding the total traffic generation for the Property as specified in the TIA. If the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates a.m. and p.m. peak-hour trips exceeding the traffic generation levels as outlined by the TIA, no site plan for development of the Property or any portion of the Property shall be approved or released, and no building permit for construction of a building on the Property, shall be issued by the Department of Review and Inspection. Such change shall not be construed as a minor change and shall require an ordinance of the City to authorize such change.

PART 8. That development on the Property shall comply with the standards for the "PUD" Planned Unit Development base district as set forth in the Austin City Code on the effective date of this ordinance, except as modified by the land use plan.

PART 9. That the owner of the Property, his assigns or successors in interest, will not expand, reroute, extend or otherwise in any way modify that portion of Riverplace Boulevard located on the Property within the preserve boundaries as shown on the Land Use Plan.

PART 10. That nothing in this Ordinance shall be construed to limit or prohibit the exercise by the City of its police powers or authority under the Austin City Code and other applicable law, or to limit or prohibit the right of the Owner to seek an amendment to any provision of this ordinance or the Land Use Plan or any variance or waiver from any City ordinances or regulations applicable to development within the Four Points Centre Planned Unit Development.

PART 11. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1992 and made a part thereof will be changed to record the amendment enacted by this ordinance.

PART 12. That the requirements imposed by Sections 2-2-3, 2-2-5 and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

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PART 13. That this ordinance shall become effective upon the expiration of 10 days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

June 13, 1996

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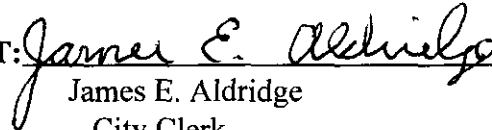
Bruce Todd
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk

DT/

13June96

PO#: 9606130

Ad ID#: BEM703600

Acct #: 4992499

Acct. Name: City Clerk

Austin American-Statesman

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

David DeVargas

Classified Advertising Agent of the *Austin American-Statesman*, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

Date (s): August 19, 1996

Class: 9980 Lines: 23 Cost: \$56.58

and that the attached is a true copy of said advertisement.

[Signature]

SWORN AND SUBSCRIBED TO BEFORE ME, this the 19th day of Aug, 1996.



[Signature]
Notary Public in and for
TRAVIS COUNTY, TEXAS

Sharon Janak
(Type or Print Name of Notary)

My Commission Expires: 11/10/99

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MAYOR BRUCE TODD
AUSTIN, TEXAS